

~~Or. #3 - S. 1976~~

Or #2 - S 1982

WEAPONS AND FIREWORKS

SECTION, NO 9. Concealed Weapons. Except as provided in ORS 166.260 and 166.290, no person shall carry concealed about his person or in a vehicle a revolver, pistol, or other firearm or any knife other than an ordinary pocket knife, any dirk, dagger, stiletto, nunchaku stick, or any other weapon by the use of which injury could be inflicted upon the person or property of another. For purposes of this section, an ordinary pocket knife is one with a maximum blade length of three and one-half inches which is not a switch-blade or spring-blade knife.

SECTION NO. 10. Discharging Weapons. No person other than an authorized peace officer shall fire or discharge a gun or other weapon, including spring or air-actuated pellet guns, air guns, BB guns, bow and arrow, or any weapon which propels a projectile by use of gunpowder or other explosive, jet, or rocket propulsion. The provisions of this section shall not be construed to prohibit the firing or discharging of a weapon by any person in the defense or protection of his property, person, or family, and shall not prohibit the firing or discharging of a weapon by any person in a supervised firing range or shooting gallery.

SECTION NO. 11. Forfeiture.

- (1) Whenever a person is arrested for violating Section 9 or 10 of this ordinance, the weapon shall be confiscated by the arresting officer and delivered to the municipal judge.
- (2) If the accused is not convicted, the weapon shall be returned to him, unless his possession of the weapon would violate state or federal law.
- (3) If the accused is convicted or the weapon may not be lawfully returned to him, it shall become the property of the City of Elgin. If the weapon can be sold without violating state or federal law, it may be sold or destroyed as directed by the municipal judge. If the sale of the weapon would be unlawful, it shall be destroyed or become the property of the City of Elgin for training or display purposes.

SECTION NO. 12. Fireworks. The following sections of the Oregon Fireworks Law, together with all acts and amendments applicable to cities which are now or hereafter enacted, are adopted by reference and made a part of this ordinance: ORS 480.110, 480.120, 480.130, 480.140 (1), 480.150, and 480.170.